

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 11/29/2020

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES,	:
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	:
-v-	:
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	:
CARLOS ECHEVERRY,	:
	:
Defendant.	:
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1:04-cr-1162-GHW

ORDER

GREGORY H. WOODS, United States District Judge:

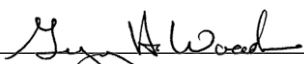
On September 9, 2020, Carlos Echeverry filed an application requesting that the Court reconsider its decision denying his request for compassionate release. Dkt. No. 105. The Court cannot take up that application because an appeal of that decision is currently pending. “The filing of a notice of appeal is an event of jurisdictional significance—it confers jurisdiction on the court of appeals and divests the district court of its control over those aspects of the case involved in the appeal.” *Griggs v. Provident Consumer Discount Co.*, 459 U.S. 56, 58 (1982). While there are exceptions to this general rule, none seem to apply here, given that Mr. Echeverry filed his notice of appeal more than two months before he filed his motion for reconsideration. As a result, the Court is not taking up the motion for reconsideration at this time.

The Court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that any appeal from this order would not be taken in good faith, and therefore IFP status is denied for the purpose of an appeal. *See Coppedge v. United States*, 369 U.S. 438, 444-45 (1962).

The Clerk of Court is directed to terminate the motion pending at Dkt. No. 105, and to mail a copy of this order to Mr. Echeverry.

SO ORDERED.

Dated: November 29, 2020



GREGORY H. WOODS
United States District Judge